110TH CONGRESS 2D SESSION

H.R.6028

AN ACT

- To authorize law enforcement and security assistance, and assistance to enhance the rule of law and strengthen civilian institutions, for Mexico and the countries of Central America, and for other purposes.
 - 1 Be it enacted by the Senate and House of Representa-
 - 2 tives of the United States of America in Congress assembled,

1 SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

- 2 (a) SHORT TITLE.—This Act may be cited as the
- 3 "Merida Initiative to Combat Illicit Narcotics and Reduce
- 4 Organized Crime Authorization Act of 2008".
- 5 (b) Table of Contents for
- 6 this Act is as follows:
 - Sec. 1. Short title and table of contents.
 - Sec. 2. Definitions.

TITLE I—ASSISTANCE FOR MEXICO

- Sec. 101. Findings.
- Sec. 102. Declarations of policy.

Subtitle A—Law Enforcement and Security Assistance

- Sec. 111. Purposes of assistance.
- Sec. 112. Authorization of assistance.
- Sec. 113. Activities supported.
- Sec. 114. Limitation on assistance.
- Sec. 115. Authorization of appropriations.

Subtitle B—Assistance to Enhance the Rule of Law and Strengthen Civilian Institutions

- Sec. 121. Sense of Congress.
- Sec. 122. Authorization of assistance.
- Sec. 123. Activities supported.
- Sec. 124. Authorization of appropriations.

TITLE II—ASSISTANCE FOR COUNTRIES OF CENTRAL AMERICA

- Sec. 201. Findings.
- Sec. 202. Declarations of policy.

Subtitle A—Law Enforcement and Security Assistance

- Sec. 211. Purposes of assistance.
- Sec. 212. Authorization of assistance.
- Sec. 213. Activities supported.
- Sec. 214. Limitation on assistance.
- Sec. 215. Authorization of appropriations.

Subtitle B—Assistance to Enhance the Rule of Law and Strengthen Civilian Institutions

- Sec. 221. Authorization of assistance.
- Sec. 222. Activities supported.
- Sec. 223. Authorization of appropriations.

TITLE III—ADMINISTRATIVE PROVISIONS

- Sec. 301. Conditions on provision of assistance.
- Sec. 302. Limitations on provision of assistance.
- Sec. 303. Limitation on monitoring.
- Sec. 304. Exemption from prohibition on assistance for law enforcement forces.
- Sec. 305. Relationship to other authority.
- Sec. 306. Rule of construction.

TITLE IV—SUPPORT ACTIVITIES IN THE UNITED STATES

- Sec. 401. Report on reduction of drug demand in the United States.
- Sec. 402. Reduction of southbound flow of illegal weapons.
- Sec. 403. Reduction of southbound flow of illegal precursor chemicals and bulkcash transfers.
- Sec. 404. Report.

TITLE V—MISCELLANEOUS PROVISIONS

- Sec. 501. Coordinator of United States Government Activities to Implement the Merida Initiative.
- Sec. 502. Metrics and oversight mechanisms.
- Sec. 503. Report.
- Sec. 504. Sense of Congress.
- Sec. 505. Sunset.

1 SEC. 2. DEFINITIONS.

- 2 In this Act:
- 3 (1) Appropriate congressional commit-
- 4 TEES.—The term "appropriate congressional com-
- 5 mittees"—
- 6 (A) means—
- 7 (i) the Committee on Appropriations
- 8 and the Committee on Foreign Affairs of
- 9 the House of Representatives; and
- 10 (ii) the Committee on Appropriations
- and the Committee on Foreign Relations
- of the Senate; and
- (B) for purposes of titles IV and V, in-
- cludes the Committee on the Judiciary of the

1	House of Representatives and the Committee
2	on the Judiciary of the Senate.
3	(2) Countries of Central America.—The
4	term "countries of Central America" means Belize
5	Costa Rica, El Salvador, Guatemala, Honduras
6	Nicaragua, and Panama and includes Haiti and the
7	Dominican Republic.
8	(3) Merida initiative.—The term "Merida
9	Initiative" means the program announced by the
10	United States and Mexico on October 22, 2007, to
11	fight illicit narcotics trafficking and criminal organi-
12	zations throughout the Western Hemisphere.
13	TITLE I—ASSISTANCE FOR
13 14	TITLE I—ASSISTANCE FOR MEXICO
14	MEXICO
14 15	MEXICO SEC. 101. FINDINGS.
141516	MEXICO SEC. 101. FINDINGS. Congress finds the following:
14 15 16 17	MEXICO SEC. 101. FINDINGS. Congress finds the following: (1) The drug crisis facing the United States re-
14 15 16 17 18	MEXICO SEC. 101. FINDINGS. Congress finds the following: (1) The drug crisis facing the United States remains a significant national security threat.
14 15 16 17 18	MEXICO SEC. 101. FINDINGS. Congress finds the following: (1) The drug crisis facing the United States remains a significant national security threat. (2) The Government Accountability Office.
14 15 16 17 18 19 20	MEXICO SEC. 101. FINDINGS. Congress finds the following: (1) The drug crisis facing the United States remains a significant national security threat. (2) The Government Accountability Office (GAO) estimates that 90 percent of illegal drugs.
14 15 16 17 18 19 20 21	MEXICO SEC. 101. FINDINGS. Congress finds the following: (1) The drug crisis facing the United States remains a significant national security threat. (2) The Government Accountability Office (GAO) estimates that 90 percent of illegal drugs that enter the United States come through the Mexicology.

- distribute arms, precursor chemicals, and bulk cash
 transfers south.
 - (4) Drug gangs that operate in the United States, Mexico, and Central America have become sophisticated and vertically-integrated operations expert at penetrating the United States-Mexico border.
 - (5) Narcotics-related activity and expanding cross-border trafficking is dangerously undermining the security environment for our neighbors to the South, as well as in the United States.
 - (6) Mexico can and has served as a critical ally and partner in stemming the flow of illegal narcotics into the United States. Under the leadership of Mexican President Felipe Calderón, the United States and Mexico have initiated an approach of joint responsibility to confront the threat of illicit narcotics trafficking and organized crime in the Western Hemisphere.
 - (7) The spread of illicit narcotics through United States borders and the violence that accompanies it cannot be halted without a comprehensive interdiction and security strategy planned and executed jointly with our southern neighbors.
 - (8) In March 2007, President George W. Bush and Mexican President Calderón held a summit in

- the Mexican City of Merida and agreed that the
 United States and Mexico must expand bilateral and
 regional cooperation to fight violence stemming from
 narcotrafficking and regional criminal organizations.
 - (9) On October 22, 2007, the United States and Mexico issued a joint statement announcing the Merida Initiative, a program to fight illicit narcotics trafficking and criminal organizations throughout the Western Hemisphere.

(10) In the joint statement—

- (A) Mexico pledged to "strengthen its operational capabilities to more effectively fight drug-traffickers and organized crime";
- (B) the United States pledged "to intensify its efforts to address all aspects of drug trafficking (including demand-related portions) and continue to combat trafficking of weapons and bulk currency to Mexico"; and
- (C) both nations pledged to "augment cooperation, coordination, and the exchange of information to fight criminal organizations on both sides of the border".
- (11) A long-term strategy to adequately contain the northbound and southbound flows of illicit narcotics along the United States-Mexico border, as well

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as protect the vast and free flow of trade, will require the United States to partner with its southern neighbors in their efforts to build the capacity of their own law enforcement agencies and enhance the rule of law, as well as to fortify United States illicit narcotics reduction efforts.

7 SEC. 102. DECLARATIONS OF POLICY.

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- Congress makes the following declarations:
 - (1) The Merida Initiative is a critical part of a growing partnership and strategy of cooperation between the United States and its southern neighbors to confront the illegal flow of narcotics as well as violence and organized crime that it has spawned.
 - (2) The United States needs to ensure the free flow of trade between the United States and its critical neighbor, Mexico, while ensuring that the United States border is protected from illegal smuggling into the United States.
 - (3) The United States must intensify efforts to stem the flow of precursor chemicals, bulk cash, and the so-called "iron-river" of arms illegally flowing south, as well as demand-related aspects of the illicit narcotics phenomenon.
- 24 (4) The United States should provide its exper-25 tise to meet immediate security needs along the

- United States-Mexico border, fight the production and flow of illicit narcotics, and support Mexico in its efforts to do the same.
 - (5) The United States should support the Government of Mexico's work to expand its own law enforcement to independently conduct successful counternarcotics and organized crime-related operations.
 - (6) The Merida Initiative reflects the belief that Mexican military involvement is required in the short-term to stabilize the security situation, but that most aspects of this problem fall into the realm of law enforcement.
 - (7) In implementing the Merida Initiative, the United States should work with its southern neighbors to mitigate the so-called "balloon effect" in which successful counternarcotics efforts shift narcotics-related activities to other areas.
 - (8) The United States should coordinate with the Congress of the Union of Mexico to ensure full partnership on the programs authorized under this Act.

Subtitle A—Law Enforcement and Security Assistance

2	Security Assistance
3	SEC. 111. PURPOSES OF ASSISTANCE.
4	The purposes of assistance under this subtitle are
5	to—
6	(1) enhance the ability of the Government of
7	Mexico, in cooperation with the United States, to
8	control illicit narcotics production, trafficking, drug
9	trafficking organizations, and organized crime;
10	(2) help build the capacity of law enforcement
11	forces of Mexico to control illicit narcotics produc-
12	tion, trafficking, drug trafficking organizations, and
13	organized crime;
14	(3) aid the support role that the armed forces
15	of Mexico is providing to law enforcement agencies
16	of Mexico as the security situation in Mexico is ini-
17	tially stabilized;
18	(4) protect and secure the United States-Mexico
19	border, and control illegal activity going south as
20	well as north;
21	(5) strengthen the bilateral and regional ties of
22	the United States with Mexico and the countries of
23	Central America by assuming shared responsibility
24	and offering concrete assistance in this area of great
25	mutual concern;

- 1 (6) strengthen respect for internationally recog-2 nized human rights and the rule of law in efforts to 3 stabilize the security environment relating to illicit 4 narcotics production and trafficking and organized 5 crime; and
 - (7) support the judicial branches of the Government of Mexico and the countries of Central America, as well as support anti-corruption efforts in those countries; and
 - (8) respond to the direct requests of the Government of Mexico that the United States reduce the demand for illicit narcotics in the United States, stem the flow of illegal arms into Mexico from the United States, stem the flow of illegal bulk-cash transfers into Mexico from the United States, and stem the flow of illegal precursor chemicals into Mexico from the United States.

18 SEC. 112. AUTHORIZATION OF ASSISTANCE.

- To carry out the purposes of section 111, the Presi-
- 20 dent is authorized to provide assistance for Mexico to sup-
- 21 port the activities described in section 113.

22 SEC. 113. ACTIVITIES SUPPORTED.

- 23 (a) In General.—Activities that may be supported
- 24 by assistance under section 112 include the following:

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1	(1) COUNTERNARCOTICS AND
2	COUNTERTRAFFICKING.—To assist in building the
3	capacity of law enforcement and security forces of
4	Mexico to eradicate illicit narcotics trafficking and
5	reduce trafficking-fueled violence, including along
6	the United States-Mexico border, including assist-
7	ance such as—
8	(A) radar and aerial surveillance equip-
9	ment;
10	(B) land and maritime interdiction equip-
11	ment and training, including—
12	(i) transport helicopters and night-op-
13	erating capabilities;
14	(ii) surveillance platform planes; and
15	(iii) maintenance and training relating
16	to maintenance of aircraft; and
17	(C) training of security and law enforce-
18	ment units to plan and execute counternarcotics
19	operations.
20	(2) Port, airport, and related secu-
21	RITY.—To assist in monitoring and controlling the
22	United States-Mexico border and the border between
23	Mexico and Central America to combat illicit nar-
24	cotics trafficking, including assistance such as—

1	(A) computer infrastructure and equip-
2	ment;
3	(B) secure communications networks; and
4	(C) nonintrusive monitoring technology.
5	(3) Operational technology.—
6	(A) Assistance objectives.—To assist
7	in investigation and collection of intelligence
8	against illicit drug trafficking organizations, in-
9	cluding—
10	(i) expansion of intelligence databases;
11	and
12	(ii) hardware, operating systems, and
13	training for updating the communications
14	networks of security agencies.
15	(B) Sense of congress.—It is the sense
16	of Congress that—
17	(i) operational technology transferred
18	to the Government of Mexico for intel-
19	ligence or law enforcement purposes should
20	be used solely for the purposes for which
21	the operational technology was intended;
22	and
23	(ii) the United States should take all
24	necessary steps to ensure that use of oper-
25	ational technology described in clause (i) is

1	consistent with United States law, includ-
2	ing protections of freedom of expression,
3	freedom of movement, and freedom of as-
4	sociation.
5	(4) Public security and law enforce-
6	MENT.—To assist in the modernization of law en-
7	forcement entities and prevent crime, including as-
8	sistance and activities such as—
9	(A) law enforcement training and equip-
10	ment, including—
11	(i) transport helicopters;
12	(ii) surveillance aircraft, including
13	Cessna Caravan light utility aircraft;
14	(iii) nonintrusive inspection equip-
15	ment; and
16	(iv) human rights training for law en-
17	forcement units;
18	(B) enhancement of the Government of
19	Mexico's financial intelligence unit;
20	(C) safety-related equipment for law en-
21	forcement officers and prosecutors, including
22	protective vests and helmet sets;
23	(D) reduction of drug demand in Mexico,
24	including activities such as—

1	(i) assistance to the National Council
2	Against Addictions (CONADIC) to estab-
3	lish an Internet web-based support net-
4	work;
5	(ii) establishment of a national data
6	center to support the CONADIC; and
7	(iii) training of CONADIC and other
8	agency staff in best practices and outreach
9	and treatment programs, and design of a
10	methodology to implement best practices in
11	conjunction with the National Network for
12	Technological Transfers in Addiction.
13	(b) Provision of Helicopters.—Funds made
14	available to carry out this subtitle to provide helicopters
15	to the Government of Mexico, shall, to the extent possible,
16	be used to procure or provide helicopters that are of a
17	similar manufacture to those helicopters already in the
18	possession of the Government of Mexico in order to facili-
19	tate integration of those assets into Mexico's existing air
20	fleet.
21	(c) Sense of Congress.—It is the sense of Con-
22	gress that the United States shall ensure, to the extent
23	possible, that assistance under this subtitle is made avail-
24	able and cross-utilized by the armed forces of Mexico and
25	relevant law enforcement agencies of the Government of

- 1 Mexico, including the Mexican Office of the Attorney Gen-
- 2 eral.

3 SEC. 114. LIMITATION ON ASSISTANCE.

- 4 (a) Limitation.—No assistance may be provided
- 5 under this subtitle to any unit of the armed forces of Mex-
- 6 ico or any unit of the law enforcement agencies of Mexico
- 7 if the Secretary of State determines that, consistent with
- 8 section 620J of the Foreign Assistance Act of 1961 (22)
- 9 U.S.C. 2378d), there is credible evidence that such unit
- 10 has committed gross violations of human rights.
- 11 (b) Exception.—The limitation in subsection (a)
- 12 shall not apply if the Secretary of State determines and
- 13 reports to the appropriate congressional committees that
- 14 the Government of Mexico is taking effective measures to
- 15 bring the responsible members of the unit of the armed
- 16 forces or law enforcement agencies, as the case may be,
- 17 to justice.

18 SEC. 115. AUTHORIZATION OF APPROPRIATIONS.

- 19 (a) In General.—To carry out this subtitle, there
- 20 are authorized to be appropriated to the President
- 21 \$350,000,000 for fiscal year 2008, \$390,000,000 for fis-
- 22 cal year 2009, and \$40,000,000 for fiscal year 2010.
- 23 (b) Limitation.—

1	(1) In General.—Of the amounts appro-
2	priated pursuant to the authorization of appropria-
3	tions under subsection (a)—
4	(A) not more than \$205,000,000 may be
5	provided as assistance for the armed forces of
6	Mexico for 2008;
7	(B) not more than \$120,000,000 may be
8	provided as assistance for the armed forces of
9	Mexico for 2009; and
10	(C) not more than \$9,000,000 may be pro-
11	vided as assistance for the armed forces of Mex-
12	ico for 2010.
13	(2) Additional Limitation.—None of the
14	funds appropriated pursuant to the authorization of
15	appropriations under subsection (a) for fiscal year
16	2009 may be provided as assistance for the Mexican
17	Secretariat of Public Security until the President de-
18	termines that the Mexican National Registry of Po-
19	lice Personnel (Registro Nacional de Personal
20	Policial) is operational at the federal, state, and
21	local levels.
22	(c) AVAILABILITY.—Amounts appropriated pursuant
23	to the authorization of appropriations under subsection (a)
24	are—

1	(1) authorized to remain available until ex-
2	pended; and
3	(2) in addition to funds otherwise available for
4	such purposes, including funds available under chap-
5	ter 8 of part I of the Foreign Assistance Act of
6	1961 (22 U.S.C. 2291 et seq.).
7	Subtitle B-Assistance to Enhance
8	the Rule of Law and Strengthen
9	Civilian Institutions
10	SEC. 121. SENSE OF CONGRESS.
11	It is the sense of Congress that, as a critical part
12	of a joint, comprehensive security, counternarcotics, and
13	organized crime initiative, the United States should sup-
14	port—
15	(1) programs of the United States Agency for
16	International Development and other United States
17	agencies focused on strengthening civilian institu-
18	tions and rule of law programs in Mexico at the fed-
19	eral, state, and local levels; and
20	(2) anti-corruption, transparency, and human
21	rights programs to ensure due process and expand
22	a culture of lawfulness in Mexico.
23	SEC. 122. AUTHORIZATION OF ASSISTANCE.
24	The President is authorized to provide assistance for
25	Mexico to support the activities described in section 123.

1 SEC. 123. ACTIVITIES SUPPORTED.

2	Activities that may be supported by assistance under
3	section 122 include the following:
4	(1) Institution building and rule of
5	LAW.—To assist Mexico's efforts to expand the rule
6	of law and build the capacity, transparency, and
7	trust in government institutions, including assistance
8	such as—
9	(A) rule of law and systemic improvements
10	in judicial and criminal justice sector institu-
11	tions, including—
12	(i) courts management and prosecu-
13	torial capacity building;
14	(ii) prison reform activities, including
15	those relating to anti-gang and anti-orga-
16	nized crime efforts;
17	(iii) anti-money laundering programs;
18	(iv) victim and witness protection and
19	restitution; and
20	(v) promotion of transparent oral
21	trials via training for the judicial sector;
22	(B) police professionalization, including—
23	(i) training regarding use of force;
24	(ii) human rights education and train-
25	ing;

1	(iii) training regarding evidence pres-
2	ervation and chain of custody; and
3	(iv) enhanced capacity to vet can-
4	didates;
5	(C) support for the Mexican Office of the
6	Attorney General, including—
7	(i) judicial processes improvement and
8	coordination;
9	(ii) enhancement of forensics capabili-
10	ties;
11	(iii) data collection and analyses;
12	(iv) case tracking and management;
13	(v) financial intelligence functions;
14	and
15	(vi) maintenance of data systems.
16	(2) Anti-corruption, transparency, and
17	HUMAN RIGHTS.—To assist law enforcement and
18	court institutions in Mexico to develop mechanisms
19	to ensure due process and proper oversight and to
20	respond to citizen complaints, including assistance
21	such as—
22	(A) enhancement of polygraph capability in
23	the Mexican Police agency (SSP);

1	(B) support for greater transparency and
2	accountability in the Mexican legal system, in-
3	cluding—
4	(i) establishment of a center in the
5	Mexican Office of the Attorney General for
6	receipt of citizen complaints;
7	(ii) establishment of clerk of the court
8	system to track cases and pretrial deten-
9	tions;
10	(iii) reorganization of human and fi-
11	nancial resources systems; and
12	(iv) equipping and training of criminal
13	investigators; and
14	(C) promotion of human rights, includ-
15	ing—
16	(i) support for human rights organiza-
17	tions, bar associations, and law schools;
18	and
19	(ii) training for police, prosecutors,
20	and corrections officers.
21	(3) Prevention.—To assist in the prevention
22	of individuals from participating in illicit narcotics-
23	related violent activities, such as—

1	(A) establishment of programs that ad-
2	dress domestic violence and increase school at-
3	tendance rates; and
4	(B) expansion of intervention programs,
5	including after-school programs and programs
6	for at-risk and criminal involved youth.
7	(4) Development.—To assist in the develop-
8	ment of areas where lack of jobs breeds illicit nar-
9	cotics-related violence, including—
10	(A) expansion of alternative livelihood pro-
11	grams, including job creation programs and
12	rural development programs and the provision
13	of microenterprise development assistance
14	under title VI of chapter 2 of part I of the For-
15	eign Assistance Act of 1961 (22 U.S.C. 2211 et
16	seq.); and
17	(B) establishment of gang reeducation and
18	training programs.
19	SEC. 124. AUTHORIZATION OF APPROPRIATIONS.
20	(a) In General.—To carry out this subtitle, there
21	are authorized to be appropriated to the President
22	\$120,000,000 for fiscal year 2008, \$100,000,000 for fis-
23	cal year 2009, and \$110,000,000 for fiscal year 2010.

1	(b) AVAILABILITY.—Amounts appropriated pursuant
2	to the authorization of appropriations under subsection (a)
3	are—
4	(1) authorized to remain available until ex-
5	pended; and
6	(2) in addition to funds otherwise available for
7	such purposes, including funds available under chap-
8	ter 8 of part I of the Foreign Assistance Act of
9	1961.
10	TITLE II—ASSISTANCE FOR
11	COUNTRIES OF CENTRAL
12	AMERICA
13	SEC. 201. FINDINGS.
14	Congress finds the following:
15	(1) A May 2007 report by the United Nations
16	Office on Drugs and Crime (UNODC) argues that
17	countries of Central America are particularly vulner-
18	able to violent crimes fueled by illicit narcotics traf-
19	ficking and corruption because such countries are
20	geographically located between the world's largest
21	drug producing and drug consuming countries.
22	(2) According to Assistant Secretary of State
23	for Western Hemisphere Affairs Thomas Shannon,
24	"[T]he nations of Central America have committed
25	to collective action to address these common security

- concerns. Through the Central American Integration
 System (SICA), the governments have expressed the
 political resolve to join forces to strengthen regional
 security; however they lack sufficient tools and capacity to execute such will.".
 - (3) Crime and violence in Central America has increased in recent years.
 - (4) In 2005, the estimated murder rate per 100,000 people was roughly 56 in El Salvador, 41 in Honduras, and 38 in Guatemala.
 - (5) Youth gang violence has been one of the major factors contributing to increased violence in Central America, with the United States Southern Command estimating that there are 70,000 gang members in Central America.
 - (6) Many Central American youth gangs are transnational and negatively impact both Central America and the United States.
 - (7) Youth gang violence cannot be curbed only through enforcement, but must also include a substantial investment in prevention, rehabilitation, and reintegration.
- 23 (8) Deportees sent from the United States back 24 to Central America, while not a central cause of

- crime and violence, can contribute to crime and violence in Central America.
- (9) Guatemala has experienced a surge in mur ders of women in recent years, many of which have
 been committed by illicit narcotics traffickers and
 other organized criminals.
 - (10) Violence between partners, particularly violence by men against their wives or girlfriends, is widespread in Central America, and an international violence against women survey comparing selected countries in Africa, Latin America, Europe, and Asia found that 60 percent of women in Costa Rica—often considered the least violent country in Central America—reported having experienced domestic violence during their lives.
 - (11) Weak justice systems in the countries of Central America have led to a high level of impunity in Central America.
 - (12) The United Nations International Commission against Impunity in Guatemala (CICIG) was recently created to begin to address impunity related to illegally armed groups in Guatemala.
 - (13) The United States and the Central American Integration System (SICA) signed an agreement in July 2007 to improve intelligence sharing

- 1 and policing and to institutionalize dialogue on re-
- 2 gional security.

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3 SEC. 202. DECLARATIONS OF POLICY.

- 4 Congress makes the following declarations:
- (1) A long-term United States strategy to curb illicit narcotics trafficking must include Central America, which is the corridor for 90 percent of the cocaine that transits from South America to the United States.
 - (2) It is in the interest of the United States to support a long-term commitment to assisting the countries of Central America to improve security by combating illicit narcotics trafficking, investing in prevention programs, increasing intelligence sharing, improving regional security coordination, improving border and customs capabilities, professionalizing police, justice, and other government officials, and funding programs to reintegrate deportees from the United States.
 - (3) The countries of Central America are committed to combating illicit narcotics trafficking and its related violence and crime, including gang violence, and the United States must seize the opportunity to work in partnership with Central America.

Subtitle A—Law Enforcement and Security Assistance

_	occurry resistance
3	SEC. 211. PURPOSES OF ASSISTANCE.
4	The purposes of assistance authorized by this subtitle
5	are to—
6	(1) enhance the ability of governments of coun-
7	tries of Central America to control illicit narcotics
8	production, trafficking, illicit drug trafficking orga-
9	nizations, and organized crime;
10	(2) help build the capacity of law enforcement
11	agencies of the countries of Central America to con-
12	trol illicit narcotics production, trafficking, illicit
13	drug trafficking organizations, and organized crime;
14	(3) strengthen the bilateral ties of the United
15	States with the countries of Central America by of-
16	fering concrete assistance in this area of great mu-
17	tual concern;
18	(4) strengthen respect for internationally recog-
19	nized human rights and the rule of law in efforts to
20	stabilize the security environment relating to illicit
21	narcotics production and trafficking and organized
22	crime; and
23	(5) support the judicial branch of governments
24	of the countries of Central America, as well as to

support anti-corruption efforts in such countries.

27 SEC. 212. AUTHORIZATION OF ASSISTANCE. 2 To carry out the purposes of section 211, the Presi-3 dent is authorized to provide assistance for the countries of Central America to support the activities described in 4 5 section 213. SEC. 213. ACTIVITIES SUPPORTED. 7 Activities that may be supported by assistance under section 212 include the following: 9 (1)COUNTERNARCOTICS, 10 COUNTERTRAFFICKING, AND RELATED SECURITY.— 11 (A) Assistance objectives.—To assist 12 in the following: 13 (i) Investigation and collection of in-14 telligence against illicit narcotics trafficking. 15 16 (ii) Combating illegal trafficking in 17 arms. 18 Prevention (iii) of bulk currency 19 smuggling. 20 (iv) Collection of information on crime 21 and establishment of a regional database.

1	(ii) vetting sensitive investigative units
2	to collaborate on counternarcotics at the
3	federal, state, and local levels;
4	(iii) technical assistance to develop
5	strong and effective financial crimes inves-
6	tigation units;
7	(iv) maritime security support, includ-
8	ing refurbishing and procuring patrol
9	boats;
10	(v) firearms interdiction training; and
11	(vi) illicit narcotics demand reduction
12	programs.
13	(2) Public security and law enforce-
14	MENT.—To assist in building the capacity of the po-
15	lice in countries of Central America, supporting ef-
16	forts to combat transnational gangs, investing in
17	gang prevention and rehabilitation programs, and
18	programs for the reintegration of deportees, includ-
19	ing assistance such as—
20	(A) funding to continue the United States-
21	Central American Integration System (SICA)
22	Dialogue;
23	(B) youth gang prevention activities, in-
24	cluding targeted education for at-risk youth, vo-
25	cational training and funding of community

1	centers in areas with high youth gang violence
2	rates and other risk factors;
3	(C) programs to reintegrate deportees from
4	the United States back into the societies of
5	their home countries to avoid further criminal
6	activity;
7	(D) transnational anti-gang initiatives;
8	(E) police professionalization, including—
9	(i) training regarding use of force;
10	(ii) human rights education and train-
11	ing;
12	(iii) training regarding evidence pres-
13	ervation and chain of custody; and
14	(iv) enhanced capacity to vet can-
15	didates;
16	(F) utilization of the International Law
17	Enforcement Academy (ILEA) in El Salvador
18	consistent with traditional respect for human
19	rights and professional police practices;
20	(G) police training programs of the Orga-
21	nization of American States (OAS);
22	(H) police equipment, including commu-
23	nications equipment; and
24	(I) anti-domestic violence education pro-
25	grams and women's shelters.

1 SEC. 214. LIMITATION ON ASSISTANCE.

- 2 (a) Limitation.—No assistance may be provided
- 3 under this subtitle to any unit of the armed forces of a
- 4 country of Central America or any unit of the law enforce-
- 5 ment agencies of a country of Central America if the Sec-
- 6 retary of State determines that, consistent with section
- 7 620J of the Foreign Assistance Act of 1961 (22 U.S.C.
- 8 2378d), there is credible evidence that such unit has com-
- 9 mitted gross violations of human rights.
- 10 (b) Exception.—The limitation in subsection (a)
- 11 shall not apply if the Secretary of State determines and
- 12 reports to the appropriate congressional committees that
- 13 the government of the relevant country of Central America
- 14 is taking effective measures to bring the responsible mem-
- 15 bers of the unit of the armed forces or law enforcement
- 16 agencies, as the case may be, to justice.

17 SEC. 215. AUTHORIZATION OF APPROPRIATIONS.

- 18 (a) In General.—To carry out this subtitle, there
- 19 are authorized to be appropriated to the President
- 20 \$60,000,000 for fiscal year 2008, \$80,000,000 for fiscal
- 21 year 2009, and \$80,000,000 for fiscal year 2010.
- 22 (b) AVAILABILITY.—Amounts appropriated pursuant
- 23 to the authorization of appropriations under subsection (a)
- 24 are—
- 25 (1) authorized to remain available until ex-
- pended; and

1	(2) in addition to funds otherwise available for
2	such purposes, including funds under chapters 2 and
3	8 of part I of the Foreign Assistance Act of 1961
4	(22 U.S.C. 2166 and 2291 et seq.).
5	(c) Limitation.—Of the amounts appropriated pur-
6	suant to the authorization of appropriations under sub-
7	section (a) for any fiscal year, at least \$15,000,000 should
8	be made available to carry out section 213(2)(B).
9	Subtitle B—Assistance to Enhance
10	the Rule of Law and Strengthen
11	Civilian Institutions
12	SEC. 221. AUTHORIZATION OF ASSISTANCE.
13	The President is authorized to provide assistance for
14	the countries of Central America to support the activities
15	described in section 222.
16	SEC. 222. ACTIVITIES SUPPORTED.
17	Activities that may be supported by assistance under
18	section 221 include assistance in building the capacity,
19	transparency, and trust in the justice system of the coun-
20	tries of Central America and reducing high impunity rates
21	in the countries of Central America, including assistance
22	such as—
23	(1) improved police academies and entry level

training on crime investigations;

1	(2) courts management and prosecutor capacity
2	building;
3	(3) witness and victim protection programs, in-
4	cluding in Guatemala in coordination with the
5	United Nations International Commission Against
6	Impunity in Guatemala (CICIG);
7	(4) programs to enhance transparency in the
8	procedures to designate and remove personnel in the
9	recipient country's judicial system;
10	(5) prosecutor and judge protection programs
11	including in Guatemala and in coordination with the
12	CICIG;
13	(6) short-term assignment of United States
14	Government personnel to the CICIG to provide tech-
15	nical assistance for criminal investigations, specifi-
16	cally but not limited to investigations involving
17	money laundering so long as this assignment does
18	not negatively impact United States domestic oper-
19	ations;
20	(7) regional juvenile justice reform;
21	(8) prison management;
22	(9) programs to rehabilitate gang members re-
23	leased from prison, including job training; and

1	(10) community policing, including human
2	rights and use of force training for community polic-
3	ing projects.
4	SEC. 223. AUTHORIZATION OF APPROPRIATIONS.
5	(a) In General.—To carry out this title, there are
6	authorized to be appropriated to the President
7	\$40,000,000 for fiscal year 2008, \$50,000,000 for fiscal
8	year 2009, and \$95,000,000 for fiscal year 2010.
9	(b) AVAILABILITY.—Amounts appropriated pursuant
10	to the authorization of appropriations under subsection (a)
11	are—
12	(1) authorized to remain available until ex-
13	pended; and
14	(2) in addition to funds otherwise available for
15	such purposes, including funds available under chap-
16	ters 2 and 8 of part I of the Foreign Assistance Act
17	of 1961 (22 U.S.C. 2166 and 2291 et seq.).
18	TITLE III—ADMINISTRATIVE
19	PROVISIONS
20	SEC. 301. CONDITIONS ON PROVISION OF ASSISTANCE.
21	(a) In General.—The President may not provide
22	assistance under title I or II to a foreign country for a
23	fiscal year until the end of a 15-day period beginning on
24	the date on which the President transmits to the appro-
25	priate congressional committees a determination that the

- 1 requirements described in subsection (b) have been met
- 2 with respect to the government of such foreign country
- 3 for such fiscal year.
- 4 (b) REQUIRED DETERMINATION.—The requirements
- 5 referred to in subsection (a) are the following:
- 6 (1) The provision of assistance will not adversely affect the human rights situation in the for-
- 8 eign country.

- (2) Vetting procedures are in place to ensure that members and units of the armed forces and law enforcement agencies of the foreign country that may receive assistance under title I or II have not been involved in human rights violations.
 - (3) The civilian authority in the foreign country is investigating and prosecuting any member of any government agency or entity receiving assistance under title I or II who has been credibly alleged to have committed human rights violations on or after the date of the enactment of this Act.
 - (4) Equipment and material provided as support is being used only by officials and employees of the government of the foreign country who have been approved by such government to perform counternarcotics activities, including on the basis of the background investigations by such government.

1	(5) The government of the foreign country has
2	cooperated with the Secretary of State to ensure
3	that—
4	(A) the equipment and material provided
5	as support will be used only by the officials and
6	employees referred to in paragraph (4);
7	(B) none of the equipment or material will
8	be transferred (by sale, gift, or otherwise) to
9	any person or entity not authorized by the
10	United States to receive the equipment or mate-
11	rial; and
12	(C) the equipment and material will, to the
13	extent possible, be used for the purposes in-
14	tended by the United States Government and
15	will be utilized by those agencies for which such
16	assistance is intended.
17	(6) The government of the foreign country has
18	implemented, in consultation with the Secretary of
19	State, a system that will provide an accounting and
20	inventory of the equipment and material provided as
21	support.
22	(7) The government of the foreign country will,
23	along with United States personnel, conduct periodic
24	observation and review of the use of the equipment

and material provided as support under terms and

- conditions similar to the terms and conditions imposed with respect to such observation and review under section 505(a)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2314(a)(3)).
- 5 (8) To the extent the foreign country has re-6 ceived equipment in the past, it has utilized the 7 equipment properly and in a manner that warrants 8 additional provision of equipment or assistance.

9 SEC. 302. LIMITATIONS ON PROVISION OF ASSISTANCE.

- 10 (a) SENSE OF CONGRESS.—It is the sense of Con-11 gress that—
- 12 (1) activities undertaken under titles I and II
 13 of this Act should be performed wherever possible by
 14 official employees, personnel, or officers of the fed15 eral, state, or local government of the recipient for16 eign country; and
 - (2) the United States should limit, to the maximum extent possible, the number of United States civilians and foreign nationals retained as contractors in a recipient country.
- 21 (b) LIMITATIONS.—Except as provided in subsection 22 (c)—
- 23 (1) none of the funds made available to carry 24 out title I may be available for the employment of 25 any United States individual civilian retained as a

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- contractor in Mexico or any foreign national retained 2 as a contractor if that employment would cause the total number of individual civilian contractors em-3
- ployed in Mexico in support of the Merida Initiative
- 5 who are funded by United States funds to exceed
- 6 50;

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- 7 (2) none of the funds made available to carry 8 out title II may be available for the employment of 9 any United States individual civilian retained as a 10 contractor in a country of Central America or any 11 foreign national retained as a contractor if that em-12 ployment would cause the total number of individual 13 civilian contractors employed in all countries of Cen-14 tral America in support of the Merida Initiative who 15 are funded by United States funds to exceed 100; 16 and
 - (3) none of the funds made available under this Act shall be made available for budget support or cash payments.
- 20 (c) Exception.—The limitations contained in sub-
- 21 section (b) shall not apply if the President determines that
- it is in the national interest of the United States that such
- limitations shall not apply and transmits to the appro-
- priate congressional committees a notification thereof.

1 SEC. 303. LIMITATION ON MONITORING.

- 2 Beginning on October 1, 2009, no surveillance-re-
- 3 lated equipment may be transferred under this Act to any
- 4 entity of Mexico or a country of Central America unless
- 5 the President determines that the recipient country has
- 6 cooperated with the United States to ensure that such
- 7 equipment will be used principally for the purposes for
- 8 which it is provided.

9 SEC. 304. EXEMPTION FROM PROHIBITION ON ASSISTANCE

10 FOR LAW ENFORCEMENT FORCES.

- Notwithstanding section 660 of the Foreign Assist-
- 12 ance Act of 1961 (22 U.S.C. 2420; relating to the prohibi-
- 13 tion on assistance to foreign law enforcement forces), the
- 14 President may provide assistance under title I or II if, at
- 15 least 15 days before providing the assistance, the Presi-
- 16 dent notifies the Committee on Foreign Affairs of the
- 17 House of Representatives and the Committee on Foreign
- 18 Relations of the Senate, in accordance with the procedures
- 19 applicable to reprogramming notifications pursuant to sec-
- 20 tion 634A of the Foreign Assistance Act (22 U.S.C. 2394–
- 21 1), that (1) it is in the national interest to provide such
- 22 assistance, and (2) the recipient country is making signifi-
- 23 cant progress to eliminating any human rights violations.

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1	SEC. 305. RELATIONSHIP TO OTHER AUTHORITY.
2	(a) Assistance Under Title I.—The authority to
3	provide assistance under title I is in addition to any other
4	authority to provide assistance for Mexico.
5	(b) Assistance Under Title II.—The authority to
6	provide assistance under title I is in addition to any other
7	authority to provide assistance for the countries of Central
8	America.
9	SEC. 306. RULE OF CONSTRUCTION.
10	Nothing in title I or II shall be construed to alter,
11	modify, or otherwise affect the provisions of the Arms Ex-
12	port Control Act (22 U.S.C. 2751 et seq.) unless otherwise
13	specified in this Act.
14	TITLE IV—SUPPORT ACTIVITIES
15	IN THE UNITED STATES
16	SEC. 401. REPORT ON REDUCTION OF DRUG DEMAND IN
17	THE UNITED STATES.

- 18 (a) Sense of Congress.—It is the sense of Con-
- 19 gress that—
- 20 (1) supply-side drug reduction strategies when 21 executed alone are not an effective way to fight the 22 phenomenon of illegal narcotics;
- 23 (2) the Government of Mexico has identified re-24 duction of United States drug demand as among the 25 most important contributions the United States can

1	make to a joint strategy to combat illicit narcotics
2	trafficking; and
3	(3) the United States pledged in the United
4	States-Mexico October 2007 Joint Statement on the
5	Merida Initiative, to "intensify its efforts to address
6	all aspects of drug trafficking (including demand re-
7	lated portions)" here in the United States.
8	(b) Report.—Not later than 180 days after the date
9	of the enactment of this Act, the President shall transmit
10	to the appropriate congressional committees a report or
11	the measures taken to intensify United States efforts to
12	address United States demand-related aspects of the drug-
13	trafficking phenomenon in accordance with the Joint
14	Statement on the Merida Initiative announced by the
15	United States and Mexico on October 22, 2007.
16	SEC. 402. REDUCTION OF SOUTHBOUND FLOW OF ILLEGAL
17	WEAPONS.
18	(a) Sense of Congress.—It is the sense of Con-
19	gress that—
20	(4) 1 6 1 ' 1 ' 1 ' 1 ' 1 ' 1 ' 1 ' 1 ' 1 '
	(1) much of the increased violence in Mexico is
21	perpetrated using firearms and ammunition smug-
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	perpetrated using firearms and ammunition smug-
22	perpetrated using firearms and ammunition smug- gled illegally from the United States into Mexico;

- illegally crossing into Mexico from the United
 States;
- 3 (3) more than 90 percent of the guns con-4 fiscated yearly in Mexico originate in the United 5 States and approximately 40 percent of the total 6 trafficked weapons are linked to drug trafficking or-7 ganizations;
 - (4) along the 2,000 mile border from Browns-ville, Texas, to San Diego, California, there are 6,700 licensed gun sellers, but only 100 Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) special agents to investigate allegations of weapons trafficking and only 35 inspectors to ensure compliance with United States laws;
 - (5) on January 16, 2008, ATF announced that it will add 25 special agents and 15 inspectors to their Project Gunrunner along the Southwest Border. And, the ATF budget request for fiscal year 2009 includes funding for another 12 inspectors; and
 - (6) an effective strategy to combat these illegal arms flows is a critical part of a United States contribution to a jointly executed anti-narcotics strategy with Mexico.
- 25 (b) Project Gunrunner Initiative.—

- (1) IN GENERAL.—The Attorney General shall, 1 2 to the extent amounts are made available to carry 3 out this subsection pursuant to paragraph (4), use such amounts for the Project Gunrunner initiative 5 (hereafter in this subsection referred to as the "ini-6 tiative") of the Bureau of Alcohol, Tobacco, Fire-7 arms, and Explosives to expand the resources pro-8 vided to identify, investigate, and prosecute individ-9 uals involved in the trafficking of firearms across the 10 United States-Mexico border. 11
 - (2) Activities.—In carrying out paragraph (1), the Attorney General shall—
 - (A) assign additional agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to the area of the United States adjacent to the United States-Mexico border to support the expansion of the initiative;
 - (B) establish not fewer than 1 initiative team in each State along the United States-Mexico border; and
 - (C) coordinate with the heads of other relevant federal law enforcement agencies and State and local law enforcement agencies to address firearms trafficking in a comprehensive manner.

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- 1 (3) Additional Staff.—The Attorney General
 2 may hire additional persons to be Bureau of Alcohol,
 3 Tobacco, Firearms, and Explosives agents for, and
 4 may use such other resources as may be necessary
 5 to adequately support, the initiative.
 - (4) AUTHORIZATION OF APPROPRIATIONS.—To carry out this subsection, there are authorized to be appropriated to the Attorney General \$15,000,000 for each of the fiscal years 2008 through 2010.

(c) Enhanced International Cooperation.—

- (1) IN GENERAL.—In carrying out this subsection, the Attorney General, in cooperation with the Secretary of State, is authorized and encouraged, as appropriate, to—
 - (A) assign agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to the United States mission in Mexico, specifically in areas adjacent to the United States-Mexico border, to work with Mexican law enforcement agencies in conducting investigations relating to firearms trafficking and other criminal enterprises;
 - (B) provide the equipment and technological resources necessary to support investiga-

1	tions and to trace firearms recovered in Mexico;
2	and
3	(C) support the training of vetted Mexican
4	law enforcement officers in serial number res-
5	toration techniques and canine explosive detec-
6	tion.
7	(2) Authorization of appropriations.—To
8	carry out this subsection, there are authorized to be
9	appropriated to the Attorney General \$9,500,000 for
10	each of the fiscal years 2008 through 2010.
11	SEC. 403. REDUCTION OF SOUTHBOUND FLOW OF ILLEGAL
12	PRECURSOR CHEMICALS AND BULK-CASH
13	TRANSFERS.
14	It is the sense of Congress that—
15	(1) a significant quantity of precursor chemicals
15 16	(1) a significant quantity of precursor chemicals used in the production of illegal narcotics flows
16	used in the production of illegal narcotics flows
16 17	used in the production of illegal narcotics flows south from the United States to Mexico;
16 17 18	used in the production of illegal narcotics flows south from the United States to Mexico; (2) the Government of Mexico has identified re-
16 17 18 19	used in the production of illegal narcotics flows south from the United States to Mexico; (2) the Government of Mexico has identified reduction of southbound flows from the United States
16 17 18 19 20	used in the production of illegal narcotics flows south from the United States to Mexico; (2) the Government of Mexico has identified reduction of southbound flows from the United States of precursor chemicals and bulk-cash transfers as a
16 17 18 19 20 21	used in the production of illegal narcotics flows south from the United States to Mexico; (2) the Government of Mexico has identified reduction of southbound flows from the United States of precursor chemicals and bulk-cash transfers as a critical component of its anti-narcotics strategy; and
16 17 18 19 20 21 22	used in the production of illegal narcotics flows south from the United States to Mexico; (2) the Government of Mexico has identified reduction of southbound flows from the United States of precursor chemicals and bulk-cash transfers as a critical component of its anti-narcotics strategy; and (3) an effective strategy to combat these illegal

SEC. 404. REPORT.

2	Not later than 180 days after the date of the enact-
3	ment of this Act, the President shall transmit to the ap-
4	propriate congressional committees a report on the meas-
5	ures taken to combat the southbound flow of illegal pre-
6	cursor chemicals and bulk cash transfers into Mexico.
7	TITLE V—MISCELLANEOUS
8	PROVISIONS
9	SEC. 501. COORDINATOR OF UNITED STATES GOVERNMENT
10	ACTIVITIES TO IMPLEMENT THE MERIDA INI-
11	TIATIVE.
12	(a) Declaration of Policy.—Congress declares
13	that the Merida Initiative is a Department of State-led
14	initiative which combines programs of numerous United
15	States Government departments and agencies and there-
16	fore requires a single individual to coordinate and track
17	all Merida-related efforts government-wide to help avoid
18	duplication and facilitate accountability to Congress.
19	(b) Designation of High-Level Coordinator.—
20	(1) In general.—The President shall des-
21	ignate, within the Department of State, a Coordi-
22	nator of United States Government Activities to Im-
23	plement the Merida Initiative (hereafter in this sec-
24	tion referred to as the "Coordinator") who shall be
25	responsible for—

1	(A) designing an overall strategy to ad-
2	vance the purposes of this Act;
3	(B) ensuring program and policy coordina-
4	tion among agencies of the United States Gov-
5	ernment in carrying out the policies in Mexico
6	and Central America set forth in this Act;
7	(C) ensuring that efforts of the United
8	States Government under this Act in Mexico
9	and Central America are in full consonance
10	with the efforts of the Government of Mexico
11	and the governments of Central America in im-
12	plementing the Merida Initiative;
13	(D) tracking all United States Government
14	assistance which fulfills the goals of the Merida
15	Initiative or is closely related to the goals of the
16	Merida Initiative, including information re-
17	quired under section 620J of the Foreign As-
18	sistance Act of 1961 (22 U.S.C. 2378d) with
19	respect to Mexico and the countries of Central
20	America;
21	(E) coordinating among agencies of the
22	United States Government on all United States
23	assistance to Mexico and the countries of Cen-
24	tral America, including assistance from other

relevant government agencies, which fulfills the

1	goals of the Merida Initiative to avoid duplica-
2	tion or conflict among programs; and
3	(F) consulting with the Attorney General
4	with respect to the activities of Federal, State
5	and local law enforcement authorities in the
6	United States related to the goals of the Merida
7	Initiative, particularly along the United States-
8	Mexico border.
9	(2) RANK AND STATUS OF THE COORDI-
10	NATOR.—The Coordinator shall have the rank and
11	status of ambassador.
12	SEC. 502. METRICS AND OVERSIGHT MECHANISMS.
13	(a) Sense of Congress.—It is the sense of Con-
14	gress that—
15	(1) to successfully support building the capacity
16	of recipient countries' civilian security institutions
17	enhance the rule of law in recipient countries, and
18	ensure the protection of human rights, the President
19	should establish metrics and oversight mechanisms
20	to track the effectiveness of activities undertaken
21	pursuant to this Act;
22	(2) long-term solutions to Mexico and Central
23	America's security problems depend on strength-

ening and holding accountable civilian institutions;

- 1 (3) it is difficult to assess the impact of United 2 States assistance towards these goals absent specific 3 oversight and monitoring mechanisms; and
- 4 (4) the President, in developing metrics, should 5 consult with Congress as well as the Government of 6 Mexico and the Central American Integration Sys-7 tem (SICA).
- 8 (b) Requirement.—The President shall develop
 9 metrics to identify, track, and manage the progress of ac10 tivities authorized pursuant to this Act and use these
 11 metrics to determine the allocation of resources for such
 12 activities.

13 (c) Initial Report.—

- 14 (1) IN GENERAL.—Not later than 60 days after
 15 the date of the enactment of this Act, the President
 16 shall transmit to the appropriate congressional com17 mittees a report that specifies metrics of achieve18 ment for each activity to be undertaken under this
 19 Act.
 - (2) Contents of Report.—The report shall be divided into two sections, the first addressing those activities undertaken pursuant to subtitle A of title I and subtitle A of title II, and the second addressing those activities undertaken pursuant to sub-

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1	title B of title I and subtitle B of title II. Metrics
2	may include the following:
3	(A) Indicators on long-term effectiveness
4	of the equipment and training provided to Mexi-
5	can and Central American security institutions.
6	(B) Statistics of counter narcotics-related
7	arrests.
8	(C) Number of interdictions of drug ship-
9	ments.
10	(D) Specific progress on police reform.
11	(E) Counternarcotics-related arrests.
12	(F) Quantification of reduction of supply
13	of illicit narcotics into the United States.
14	(G) Cross-utilization, if any, of equipment
15	among the armed forces and law enforcement
16	entities.
17	(H) Increased school attendance rates.
18	(I) Attendance in primary prevention pro-
19	grams
20	(J) The level of cooperation among United
21	States, Mexican, and Central American law en-
22	forcement agencies.
23	SEC. 503. REPORT.
24	(a) In General.—The President shall transmit to
25	the appropriate congressional committees a report con-

1	cerning the programs and activities carried out under this
2	Act during the preceding fiscal year. The first report shall
3	be transmitted not later than 180 days after the date of
4	the enactment of this Act and subsequent reports shall
5	be transmitted not later than October 31 of each year
6	thereafter.
7	(b) Matters to Be Included.—The report re-
8	quired under subsection (a) shall include the following:
9	(1) Metrics.—A general description of the
10	progress in stabilizing the security situation in each
11	recipient country as well as combating trafficking
12	and building its capacity based on the metrics devel-
13	oped under section 502.
14	(2) COORDINATION.—Efforts of the United
15	States Government to coordinate its activities pursu-
16	ant to section 501, including—
17	(A) a description of all counternarcotics
18	and organized crime assistance provided to re-
19	cipient countries in the previous fiscal year;
20	(B) an assessment of how such assistance
21	was coordinated; and
22	(C) recommendations for improving coordi-
23	nation.
24	(3) Transfer of equipment.—A description
25	of the transfer of equipment including

1	(A) a description of the progress of each
2	recipient country toward the transfer of equip-
3	ment, if any, from its armed forces to law en-
4	forcement agencies;
5	(B) a list of organizations that have used
6	the air assets provided to the government or
7	each recipient country, and, to the extent pos-
8	sible, a detailed description of those agencies
9	that have utilized the air assets, including a
10	breakdown of the percentage of use by each
11	agency; and
12	(C) a description of training of law en-
13	forcement agencies to operate equipment, in-
14	cluding air assets.
15	(4) Human rights.—Consistent with sections
16	116(d) and 502B(b) of the Foreign Assistance Act
17	of 1961 (22 U.S.C. 2151n(d) and 2304(b)) and sec-
18	tion 504 of the Trade Act of 1974 (19 U.S.C
19	2464), an assessment of the human rights impact of
20	the equipment and training provided under this Act
21	including—
22	(A) a list of accusations of serious human
23	rights abuses committed by the armed forces

and law enforcement agencies of recipient coun-

1	tries from the date of enactment of this Act;
2	and
3	(B) a description of efforts by the govern-
4	ment of recipient countries to investigate and
5	prosecute allegations of abuses of human rights
6	committed by any agency of the recipient coun-
7	tries.
8	(5) Effectiveness of equipment.—An as-
9	sessment on the long-term effectiveness of the equip-
10	ment and maintenance packages and training pro-
11	vided to each recipient country's security institu-
12	tions.
13	(6) Mexico public security strategy.—A
14	description of Mexico's development of a public secu-
15	rity strategy, including—
16	(A) an update on the effectiveness of the
17	Mexican federal Registry of Police Personnel to
18	vet police recruiting at the National, state, and
19	municipal levels to prevent rehiring from one
20	force to the next after dismissal for corruption
21	and other reasons; and
22	(B) an assessment of how the Merida Ini-
23	tiative complements and supports the Mexican
24	Government's own public security strategy.

1	(7) Flow of illegal arms.—A description of
2	efforts to reduce the southbound flow of illegal arms.
3	(8) Use of contractors.—A detailed descrip-
4	tion of contracts awarded to private companies to
5	carry out provisions of this Act, including—
6	(A) a description of the number of United
7	States and foreign national civilian contractors
8	awarded contracts;
9	(B) a list of the total dollar value of the
10	contracts; and
11	(C) the purposes of the contracts.
12	(9) Central American regional security
13	PLAN.—A description of implementation by the
14	countries of Central America of the Central Amer-
15	ican Regional Security Plan, including an assess-
16	ment of how the Merida Initiative complements and
17	supports the Central American Regional Security
18	Plan.
19	(10) Phase out of law enforcement ac-
20	TIVITIES.—A description of the progress of phasing
21	out law enforcement activities of the armed forces of
22	each recipient country.
23	(11) DISPLACEMENT AND DIVERSION OF DRUG
24	TRAFFICKING PATTERNS.—A description of any dis-
25	placement effect and diversion of drug trafficking

- patterns from Mexico and the countries of Central America to other routes, including through potentially vulnerable Caribbean countries.
- 4 (12) IMPACT ON BORDER VIOLENCE AND SECU5 RITY.—A description of the impact that activities
 6 authorized under this Act have had on violence
 7 against United States and Mexican border personnel
 8 and the extent to which these activities have in9 creased the protection and security of the United
 10 States-Mexico border.

11 SEC. 504. SENSE OF CONGRESS.

- 12 It is the sense of Congress that—
- 13 (1) the United States Government requires an 14 effective public diplomacy strategy to explain the 15 purposes of the Merida Initiative; and
- 16 (2) to the extent practicable, the Secretary of
 17 State, in coordination with other relevant heads of
 18 agencies, shall design and implement a public diplo19 macy campaign regionally regarding the Merida Ini20 tiative.

- 1 SEC. 505. SUNSET.
- 2 The authority of this Act shall expire after September
- 3 30, 2010.

Passed the House of Representatives June 10, 2008. Attest:

Clerk.

110TH CONGRESS H. R. 6028

AN ACT

To authorize law enforcement and security assistance, and assistance to enhance the rule of law and strengthen civilian institutions, for Mexico and the countries of Central America, and for other purposes.